

Notice of Allowability

Application No.

10/622,268

Examiner

Prabodh M. Dharia

Applicant(s)

ISE ET AL.

Art Unit

2629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 04-30-2006.
2. ☒ The allowed claim(s) is/are 1-14.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

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1. **Status:** Please all the replies and correspondence should be addressed to Examiner's new art unit 2629. Receipt is acknowledged of papers submitted 04-28-2006 under amendments and new claims which, have been placed of record in the file. Claims 1-14, are pending in this office action.

Response to Amendment

2. Applicant has not added any new matter to amended claims 1 and 2 and new dependent claims 7-14. The claimed limitation per amendments and new claims are fully supported in specification.

3. Independent claims 3,4 were allowed. Applicant has amended independent claims 1 and 2 as per examiner's response to arguments in final rejection mailed on 01-23-2006. As indicated in advisory action of 03-29-2006; the amended independent claims 1 and 2 do overcome prior art rejection. Applicant's arguments, see Remark, filed 04-19-06, with respect to amended independent Claims 1 and 2 regarding " the push against the transparent protective plate is judged while the optical touch panel is detecting the pointing input; thereby indicating an activation of the pointing input device and preventing accidental activation of the device resulting from a momentary disruption in the light beams emitted by the optical touch panel" have been fully considered, searched and are persuasive as they do overcome prior art rejection, which puts application number 10622268 in condition for allowance.

4. Claims 1-14 are allowed.

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5. The following is an examiner's statement of reasons for allowance:

Applicant's argument filed on 04-19-2006, are convincing. As argued by applicant in remarks under claim rejection page 11, paragraph 5; the prior art of Kambara et al. (6,091,406) in view of Saijo Masaru et al. (JP 11-086698) fails to recite or disclose the uniquely distinct features represented by underlined bold claim below;

wherein . . . the pointing input device outputs push detection data together with the pointing position data when the electric signal (indicating a push detection) is outputted from the piezoelectric substrate and **the push against the transparent protective plate is judged while the optical touch panel is detecting the pointing input; thereby indicating an activation of the pointing input device and preventing accidental activation of the device resulting from a momentary disruption in the light beams emitted by the optical touch panel.**

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Prabodh M Dharia whose telephone number is 571-272-7668. The examiner can normally be reached on M-F 8AM to 5PM.

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7. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

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May 30, 2006



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TECHNOLOGY CENTER 2600